

OUTTEN & GOLDEN LLP

Moira Heiges-Goepfert (Cal. Bar No. 326861)
One California Street, 12th Floor
San Francisco, CA 94111
New York, NY 10017
Telephone: (212) 245-1000
Facsimile: (415) 638-8810
mhg@outtengolden.com

LAWYERS FOR CIVIL RIGHTS

Oren Nimni (*pro hac vice*)
61 Battery March Street, 5th Floor
Boston, MA 02110
Telephone: (617) 482-1145
Facsimile: (617) 482-4392
onimni@lawyersforcivilrights.org

*Attorneys for Plaintiffs and the Proposed Class
(Additional Counsel Listed on Signature Page)*

McGUIREWOODS LLP

Jamie D. Wells (SBN 290827)
Two Embarcadero Center, Suite 1300
San Francisco, CA 94111-3821
Telephone: 415.844.9944
Facsimile: 415.844.9922

K. Issac deVyver (*pro hac vice*)
Karla Johnson (*pro hac vice*)

Tower Two-Sixty
260 Forbes Avenue, Suite 1800
Pittsburgh, PA 15222
Telephone: 412.667.6000
Facsimile: 412.667.6050

*Attorneys for Defendants
Social Finance, Inc. d/b/a SoFi and
SoFi Lending Corp. d/b/a SoFi*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

RUBEN JUAREZ and CONSTANTIN CALIN
SEGARCEANU, individually and on behalf of
all others similarly situated,

Plaintiffs,

vs.

SOCIAL FINANCE, INC. d/b/a SOFI, and
SOFI LENDING CORP. d/b/a SOFI,

Defendants.

CASE NO: 4:20-cv-03386-HSG

**JOINT STIPULATION AND ORDER TO
SET DEADLINE IN RESPONSE TO
PLAINTIFFS' SECOND AMENDED
COMPLAINT**

Complaint Filed: May 19, 2020
First Amended Complaint Filed: July 30, 2020

District Judge Haywood S. Gilliam

Pursuant to Civil Local Rules 6-1(b) and 6-2, Plaintiffs Ruben Juarez and Calin Constantin Segarceanu (“Plaintiffs”), through counsel, along with counsel for Defendants Social Finance, Inc. d/b/a SoFi and SoFi Lending Corp. d/b/a SoFi (collectively, “SoFi”), respectfully submit the following Joint Stipulation and Proposed Order to Set Deadline in Response to Plaintiffs’ Second Amended Complaint.

RECITALS

WHEREAS, on May 19, 2020, Plaintiff Juarez filed a putative class action Complaint against SoFi in the above-captioned matter (D.E. 1);

WHEREAS, on June 5, 2020, Plaintiff Juarez and SoFi filed a Joint Stipulation to Extend Time to Respond to Initial Complaint, extending the time for SoFi to respond to the Complaint (D.E. 14);

WHEREAS, on July 7, 2020, Plaintiff Juarez and SoFi filed a Joint Stipulation to Set a Briefing Schedule in Response to Plaintiff’s Complaint, which the Court granted on July 7, 2020 (D.E. 26);

WHEREAS, on July 10, 2020, Plaintiff Juarez and Sofi filed a Joint Stipulation to Set a Briefing Schedule in Response to Defendants’ Motion to Stay, which the Court granted on July 14, 2020 (D.E. 31);

WHEREAS, on July 30, 2020, Plaintiff Juarez and Sofi filed a Joint Stipulation to Set a Briefing Schedule Regarding Plaintiffs’ First Amended Complaint and to Continue the CMC, which the Court granted on July 31, 2020 (D.E. 34);

WHEREAS, on July 30, 2020, Plaintiffs filed the First Amended Complaint (D.E. 33);

WHEREAS, on October 8, 2020, the Parties filed a Joint Stipulation seeking to stay discovery and to postpone the Case Management Conference until a ruling on SoFi’s Motion to Compel Arbitration, or in the alternative Dismiss, or in the Alternative Strike Portions of Plaintiffs’ First Amended Complaint (“Dispositive Motion”), which the Court granted on October 8, 2020 (D.E. 45);

WHEREAS, on October 23, 2020, the Court continued the hearing on SoFi’s Dispositive Motion to November 12, 2020 (D.E. 46);

1 WHEREAS, on November 5, 2020, the Parties filed a Joint Stipulation seeking to continue
2 the hearing on SoFi's Dispositive until December 3, 2020, which the Court granted on November
3 6, 2020 (D.E. 48);

4 WHEREAS, on April 12, 2021, the Court issued an Order (1) denying SoFi's Motion to
5 Compel Arbitration and granting in part and denying in part SoFi's Motion to Dismiss, (2)
6 providing Plaintiffs an opportunity to amend to address the deficiencies as to the Unruh Civil
7 Right Act claim within 21 days of the Order, and (3) setting the Case Management Conference on
8 May 4, 2021 (D.E. 56);

9 WHEREAS, the Parties have met and conferred, and Plaintiffs intend to file a Second
10 Amended Complaint by May 3, 2021;

11 WHEREAS, the Parties have agreed that SoFi shall file an Answer or otherwise respond to
12 Plaintiffs' Second Amended Complaint within 30 days of filing, or by June 2, 2021, negating any
13 need to file an Answer to Plaintiffs' First Amended Complaint;

14 WHEREAS, in the event that Plaintiffs do not amend, SoFi's Answer to the First Amended
15 Complaint shall be due on or before May 17, 2021;

16 WHEREAS, the Parties state that this request is not the result of dilatory conduct;

17 WHEREAS, this stipulation will not alter the date or any event or deadline already fixed
18 by Court order;

19 WHEREAS, the Parties affirm that no party will be prejudiced by this stipulation, nor will
20 the requested extension unduly delay the case;

21 **STIPULATION**

22 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs
23 and SoFi through their respective undersigned counsel that:

24 1. SoFi shall Answer or otherwise respond to Plaintiffs' Second Amended Complaint
25 within 30 days of filing, or by June 2, 2021, negating the need to file an Answer to
26 Plaintiffs' currently pending First Amended Complaint.

27 2. In the event that Plaintiffs do not amend, SoFi's Answer to the First Amended
28 Complaint shall be due on or before May 17, 2021.

3. The requested relief will not affect any other deadlines set by the Court in this case.
4. This stipulation is without prejudice to the rights, claims, arguments, and defenses of all Parties; and
5. All other signatories listed, and on whose behalf the filing is submitted, concur with the content in this Stipulation and have authorized the filing.

IT IS SO STIPULATED.

DATED: April 21, 2021

McGUIREWOODS LLP

By: /s/ K. Issac deVyver
K. Issac deVyver (*pro hac vice*)
Karla Johnson (*pro hac vice*)
Tower Two-Sixty
260 Forbes Avenue
Suite 1800
Pittsburgh, PA 15222
Telephone: 412.667.6000
Facsimile: 412.667.6050

Jamie D. Wells (SBN 290827)
Two Embarcadero Center
Suite 1300
San Francisco, CA 94111-3821
Telephone: 415.844.9944
Facsimile: 415.844.9922

*Attorneys for Defendants
Social Finance, Inc. d/b/a SoFi and
SoFi Lending Corp. d/b/a SoFi*

DATED: April 21, 2021

OUTTEN & GOLDEN LLP

By: /s/ Ossai Miazad (with permission)

Ossai Miazad (*pro hac vice*)
685 Third Avenue, 25th Floor
New York, NY 10017
Telephone: (212) 245-1000
Facsimile: (646) 509-2060
mlitrownik@outtengolden.com
om@outtengolden.com

Moira Heiges-Goepfert (Cal. Bar No. 326861)
OUTTEN & GOLDEN LLP
One California Street, 12th Floor
San Francisco, CA 94111
New York, NY 10017
Telephone: (212) 245-1000
Facsimile: (415) 638-8810
mhg@outtengolden.com

Mikael Rojas (Cal. Bar No. 309626)
OUTTEN & GOLDEN LLP
601 Massachusetts Avenue NW, Suite 200W
Washington, D.C. 20001
Telephone: (202) 847-4400
Facsimile (646) 509-2008
mrojas@outtengolden.com

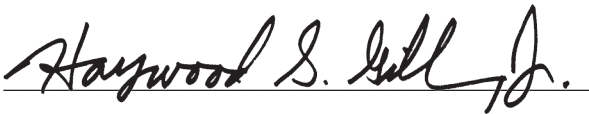
Oren Nimni (*pro hac vice*)
LAWYERS FOR CIVIL RIGHTS
61 Batterymarch Street, 5th Floor
Boston, MA 02110
Telephone: (617) 482-1145
Facsimile: (617) 482-4392
onimni@lawyersforcivilrights.org

Attorneys for Plaintiffs and the Proposed Class

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED,

DATED: 4/22/2021

A handwritten signature in black ink, reading "Haywood S. Gilliam, Jr.", written over a horizontal line.

Haywood S. Gilliam, Jr.
United States District Court Judge